



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

May 7, 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Derek F. Myers
Associate General Counsel
Maersk Line, Limited
One Commercial Place, 20th Floor
Norfolk, Virginia 23510-2103

Subject: Advisory Notice Regarding Possible Polychlorinated Biphenyls (PCBs) on the
MAERSK TEXAS (former MV PFC William B. Baugh)

Dear Mr. Myers:

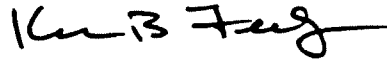
Thank you for your time and the information you provided during our telephone conversation of April 7, 2010, regarding the MAERSK TEXAS. In that conversation we discussed the reasons behind your application to the United States Maritime Administration (MARAD) for transfer of registry and flag as well as your plans for disposal of the vessel at the end of its useful life. Those plans involve characterization of environmental hazards, including PCBs, through the "Green Passport" process and subsequent dismantling of the ship at the Chiangjiang Ship-Recycling Yard in Jiangyin, China.

Although this vessel was built in Denmark after the 1977 Danish ban on "open applications" of PCBs (paints, felt gaskets, cables, rubber products, insulation materials, etc.), it is possible that PCB-containing materials in the supply chain could have been used in its construction. Other "contained uses" of PCBs (oil-filled electrical equipment, hydraulic fluid, etc.) continued in Denmark until their ban in 1986. EPA can only determine whether or not we would oppose your application to MARAD if we receive sufficient historical information and/or analytical data concerning regulated levels of PCBs on board the MAERSK TEXAS.

The Toxic Substances Control Act (TSCA), 15 U.S.C. §2601 et seq., and the PCB regulations found at 40 CFR 761 impose certain requirements for the proper management of PCBs including distribution in commerce, export and disposal. If the MAERSK TEXAS is found to contain regulated levels of PCBs, export of the vessel would be a violation of TSCA until the removal of the PCBs, as would the failure to properly manage and dispose of those PCBs.

Thank you again for your time and consideration in this matter. If you have questions concerning this letter or the regulation of PCBs, please do not hesitate to contact me at (404) 562-8512 or feely.ken@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken B. Feely", with a long horizontal flourish extending to the right.

Ken B. Feely
Senior Environmental Scientist
RCRA Division

cc: Frank McAlister, EPAHQ/OSWER/ORCR/MRWMD/ITB
Laura Casey, EPAHQ/OSWER/ORCR/MRWMD/ITB
Peter Gimlin, EPAHQ/OCSPP/OPPT/NPCD/FOB
Andrea Medici, EPAHQ/OGC/PTSLO
Otis Johnston, EPAR4/RCRA/RPMMB/PSPS
Jon Johnston, EPAR4/RCRA/RPMMB
Kelly Bunker, EPAR3
Lou Roberts, EPAR6
Dan Duncan, EPAR10